

COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)

Docket No.  
9606ziy

In Re Application Of: Nicholas J. Deacon, et al.

APR 15 2002

#17 (3 mos)  
Ext. Appeal  
N/A  
1/14/02

Serial No.  
09/146,783

Filing Date  
September 3, 1998

Examiner  
J. Parkin

Group Art Unit  
1648

Invention: NON-PATHOGENIC STRAINS OF HIV-1

COPY OF PAPER  
ORIGINALLY FILED

RECEIVED

APR 11 2002

TECH CENTER 1600/2900

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of September 26, 2001 in the above-identified application.

Date

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated September 26, 2001 finally rejecting Claim(s) 49, 50, 66, 67, 85, and 120-136

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: December 26, 2001

Date

until: March 26, 2002

Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$320.00

Fee for Extension of Time: \$520.00

**TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$840.00**

~~Two month extension of time (\$400.00) previously paid on 2/14/02~~

The fee for the Notice of Appeal and extension of time is to be paid as follows:

☒ A check in the amount of \$840.00 for the Notice of Appeal and extension of time is enclosed.

☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1013/SSMP  
A duplicate copy of this sheet is enclosed.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 19-1013/SSMP duplicate copy of this sheet is enclosed.

04/04/2002 JADD01 00000069 09146783

01 FC:119 320.00 OP  
02 FC:117 520.00 OP

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.  
9606ziy

In Re Application Of: Nicholas J. Deacon, et al.

APR 05 2002

Serial No.  
09/146,783

Filing Date  
September 3, 1998

Examiner  
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1648

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TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

  
Signature

Dated: March 26, 2002

Frank S. DiGiglio  
Registration No. 31,346  
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**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. \_\_\_\_\_) on \_\_\_\_\_ (Date)

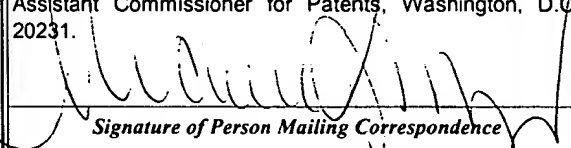
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**Certificate of Mailing**

I certify that this document and fee is being deposited on Mar. 26, 2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Signature of Person Mailing Correspondence

Michelle Mustafa  
Typed or Printed Name of Person Mailing Correspondence

CC: